

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**SENATE BILL 401**

**43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998**

**INTRODUCED BY**

**TIMOTHY Z. JENNINGS**

**AN ACT**

**RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

Underscored material = new  
[bracketed material] = delete

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5 February 7, 1998

6  
7 Mr. President:

8  
9 Your FINANCE COMMITTEE, to whom has been referred

10  
11 SENATE BILL 401

12  
13 has had it under consideration and reports same with  
14 recommendation that it DO NOT PASS, but that

15  
16 SENATE FINANCE COMMITTEE SUBSTITUTE FOR

17  
18 SENATE BILL 401

19  
20 DO PASS.

21 Respectfully submitted,

22  
23  
24  
25 \_\_\_\_\_  
. 122693. 1

Ben D. Altamirano, Chairman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben

Absent: None

S0401FC1

Underscored material = new  
[bracketed material] = delete

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 401

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

AN ACT

RELATING TO THE BACA LOCATION NUMBER 1; CREATING THE VALLES CALDERA PURCHASE COMMISSION TO NEGOTIATE FOR THE PURCHASE OF THE BACA LOCATION NUMBER 1 ON BEHALF OF THE STATE; PROVIDING POWERS AND DUTIES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. VALLES CALDERA PURCHASE COMMISSION

~~CREATED~~ - - COMPOSITION. - -

A. The "Valles Caldera purchase commission" is created. The commission shall be composed of ten members of the legislature. Five members of the house of representatives shall be appointed by the speaker of the house of representatives and five members of the senate shall be appointed by the committees' committee of the senate or, if the senate appointments are made in the interim, by the

. 123032. 1

president pro tempore of the senate after consultation with and agreement of a majority of the members of the committees' committee.

1           B. Members shall be appointed from each house so as  
2 to give the two major political parties in each house the same  
3 proportional representation on the commission as prevails in  
4 each house; however, in no event shall either party have less  
5 than one member from each house on the commission. Vacancies  
6 on the commission shall be filled by appointment in the same  
7 manner as the original appointments. The chairman and vice  
8 chairman of the commission shall be elected by the commission.

9           C. No action shall be taken by the commission if a  
10 majority of the total membership from either house on the  
11 commission rejects such action.

12           Section 2. VALLES CALDERA PURCHASE COMMISSION--  
13 DUTIES. --The Valles Caldera purchase commission shall:

14           A. negotiate, on behalf of the state, for the  
15 purchase of the Baca location number 1, known as the Baca  
16 ranch;

17           B. upon the completion of successful negotiations,  
18 certify to the secretary of finance and administration that  
19 the negotiations have been successful and that the purchase  
20 price agreed to is no higher than the appraised value. Upon  
21 receiving the certification, the secretary shall cause an  
22 amount equal to the purchase price to be transferred from the  
23 land grant permanent funds to the seller. Such amount is  
24 appropriated from the land grant permanent funds;

25           C. solicit testimony, reports and other information

. 123032. 1

1 concerning the Baca location number 1 and its potential uses and  
2 benefits; and

3 D. submit a report of its findings and recommendations  
4 to the legislature, including its recommendations for future uses  
5 of the Baca location number 1 that will maximize benefits to the  
6 state and its citizens.

7 Section 3. VALLES CALDERA PURCHASE COMMISSION--STAFF. --The  
8 staff for the Valles Caldera purchase commission shall be  
9 provided by the legislative council service.

10 Section 4. APPROPRIATION. --For the purpose of paying the  
11 salaries and expenses of the technical, legal, clerical and  
12 stenographic assistants; for appraisals; for necessary equipment  
13 and supplies used in carrying out the provisions of this act; and  
14 for reimbursing the per diem and mileage expenses of the Valles  
15 Caldera purchase commission, there is appropriated to the  
16 legislative council service from the general fund the sum of  
17 forty thousand dollars (\$40,000). All or any part of this  
18 appropriation may be expended in fiscal year 1999 and succeeding  
19 fiscal years. Any unexpended or unencumbered balance remaining  
20 at the end of the fiscal year in which the commission submits the  
21 report pursuant to Subsection D of Section 2 of this act shall  
22 revert to the general fund. Payments from the appropriation  
23 shall be made upon vouchers signed by the director of the  
24 legislative council service or his authorized representative.

25 Section 5. EFFECTIVE DATE. --The effective date of the

1 provisions of this act is the later of:

2 A. the date the secretary of state certifies that the  
3 constitution of New Mexico has been amended as proposed by a  
4 joint resolution of the forty-third legislature, second session,  
5 entitled "A JOINT RESOLUTION PROPOSING TO AMEND THE NEW MEXICO  
6 CONSTITUTION TO AUTHORIZE AN EXPENDITURE FROM THE LAND GRANT  
7 PERMANENT FUNDS FOR THE PURCHASE OF THE BACA LOCATION NUMBER 1,  
8 INCLUDING THE VALLES CALDERA"; or

9 B. the date the congress of the United States consents  
10 to the amendment of the constitution of New Mexico as proposed by  
11 the joint resolution specified in Subsection A of this section.

SFC/SB 401

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

February 10, 1998

Mr. President:

Your COMMITTEES' COMMITTEE, to whom has been referred

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 401

has had it under consideration and finds same to be GERMANE, in  
accordance with constitutional provisions, and further recommends  
that it now be referred to the CONSERVATION COMMITTEE.

Respectfully submitted,

. 123032. 1

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\_\_\_\_\_  
Manny M. Aragon, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

S0401CC1

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

~~SENATE BILL 401~~  
SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
**43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998**

AN ACT

RELATING TO THE BACA LOCATION NUMBER 1; CREATING THE VALLES CALDERA PURCHASE COMMISSION TO NEGOTIATE FOR THE PURCHASE OF THE BACA LOCATION NUMBER 1 ON BEHALF OF THE STATE; PROVIDING POWERS AND DUTIES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. VALLES CALDERA PURCHASE COMMISSION

~~CREATED~~ - - COMPOSITION. - -

A. The "Valles Caldera purchase commission" is created. The commission shall be composed of ten members of the legislature. Five members of the house of representatives shall be appointed by the speaker of the house of representatives and five members of the senate shall be appointed by the committees' committee of the senate or, if the senate appointments are made in the interim, by the

underscored material = new  
[bracketed material] = delete

president pro tempore of the senate after consultation with and agreement of a majority of the members of the committees' committee.

1           B. Members shall be appointed from each house so as  
2 to give the two major political parties in each house the same  
3 proportional representation on the commission as prevails in  
4 each house; however, in no event shall either party have less  
5 than one member from each house on the commission. Vacancies  
6 on the commission shall be filled by appointment in the same  
7 manner as the original appointments. The chairman and vice  
8 chairman of the commission shall be elected by the commission.

9           C. No action shall be taken by the commission if a  
10 majority of the total membership from either house on the  
11 commission rejects such action.

12           Section 2. VALLES CALDERA PURCHASE COMMISSION--  
13 DUTIES. --The Valles Caldera purchase commission shall:

14           A. negotiate, on behalf of the state, for the  
15 purchase of the Baca location number 1, known as the Baca  
16 ranch;

17           B. upon the completion of successful negotiations,  
18 certify to the secretary of finance and administration that  
19 the negotiations have been successful and that the purchase  
20 price agreed to is no higher than the appraised value. Upon  
21 receiving the certification, the secretary shall cause an  
22 amount equal to the purchase price to be transferred from the  
23 land grant permanent funds to the seller. Such amount is  
24 appropriated from the land grant permanent funds;

25           C. solicit testimony, reports and other information

1 concerning the Baca location number 1 and its potential uses and  
2 benefits; and

3 D. submit a report of its findings and recommendations  
4 to the legislature, including its recommendations for future uses  
5 of the Baca location number 1 that will maximize benefits to the  
6 state and its citizens.

7 Section 3. VALLES CALDERA PURCHASE COMMISSION--STAFF. --The  
8 staff for the Valles Caldera purchase commission shall be  
9 provided by the legislative council service.

10 Section 4. APPROPRIATION. --For the purpose of paying the  
11 salaries and expenses of the technical, legal, clerical and  
12 stenographic assistants; for appraisals; for necessary equipment  
13 and supplies used in carrying out the provisions of this act; and  
14 for reimbursing the per diem and mileage expenses of the Valles  
15 Caldera purchase commission, there is appropriated to the  
16 legislative council service from the general fund the sum of  
17 forty thousand dollars (\$40,000). All or any part of this  
18 appropriation may be expended in fiscal year 1999 and succeeding  
19 fiscal years. Any unexpended or unencumbered balance remaining  
20 at the end of the fiscal year in which the commission submits the  
21 report pursuant to Subsection D of Section 2 of this act shall  
22 revert to the general fund. Payments from the appropriation  
23 shall be made upon vouchers signed by the director of the  
24 legislative council service or his authorized representative.

25 Section 5. EFFECTIVE DATE. --The effective date of the

1 provisions of this act is the later of:

2 A. the date the secretary of state certifies that the  
3 constitution of New Mexico has been amended as proposed by a  
4 joint resolution of the forty-third legislature, second session,  
5 entitled "A JOINT RESOLUTION PROPOSING TO AMEND THE NEW MEXICO  
6 CONSTITUTION TO AUTHORIZE AN EXPENDITURE FROM THE LAND GRANT  
7 PERMANENT FUNDS FOR THE PURCHASE OF THE BACA LOCATION NUMBER 1,  
8 INCLUDING THE VALLES CALDERA"; or

9 B. the date the congress of the United States consents  
10 to the amendment of the constitution of New Mexico as proposed by  
11 the joint resolution specified in Subsection A of this section.